

**Filed 1/31/06 by Clerk of Supreme Court  
IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2006 ND 6

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State of North Dakota,

Plaintiff and Appellee

v.

Philip Freeman,

Defendant and Appellant

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No. 20050097

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Philip Freeman,

Petitioner and Appellant

v.

State of North Dakota,

Respondent and Appellee

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No. 20050318

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Appeals from the District Court of Burleigh County, South Central Judicial District, the Honorable Bruce B. Haskell, Judge.

AFFIRMED.

Per Curiam.

Robert V. Bolinske, Jr., 515 North 4th Street, Bismarck, N.D. 58501, for appellant.

Brandi Sasse Russell, Assistant State's Attorney, 514 East Thayer Avenue, Bismarck, N.D. 58501-4413, for appellee.

**State v. Freeman**  
**Nos. 20050097 and 20050318**

**Per Curiam.**

[¶1] Philip Freeman appeals from the criminal judgment entered after he pled guilty to criminal trespass and theft of property and was found guilty by a jury of unlawful entry into a motor vehicle. He separately appeals from an order denying post-conviction relief. Freeman argued to the district court that post-conviction relief was warranted because he received ineffective assistance of counsel. The district court did not err in concluding, on the merits, that Freeman's post-conviction relief claim failed, and we summarily affirm under N.D.R.App.P. 35.1(a)(6). The additional issues raised on appeal to support Freeman's claim were not brought before the district court and therefore cannot be considered by this Court. Bay v. State, 2003 ND 183, ¶ 14, 672 N.W.2d 270.

[¶2] Freeman appealed from the underlying criminal judgment but did not brief any issue related to that appeal. Issues not briefed by an appellant are abandoned and will not be considered on appeal. Berlin v. State, 2000 ND 13, ¶ 22, 604 N.W.2d 437. We therefore affirm under N.D.R.App.P. 35.1(a)(7).

[¶3] Gerald W. VandeWalle, C.J.  
Daniel J. Crothers  
Dale V. Sandstrom  
Carol Ronning Kapsner  
Mary Muehlen Maring